

*Don Regal (Pen Waters)*

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FROM: AmEmbassy, Ciudad Trujillo

Date Sent: August 4, 1959

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TO: Secretary of State

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REDEPTEL 19, July 8, 1959.

Law 3342 dated July 10, 1952 is basic Dominican Law on territorial waters according informal Foreign Office contact. Pertinent sections this law in formal translation follow: (Spanish copy being pouched.)

Art. I - A zone of three nautical miles along the length of the coast is established as the extension of the territorial or jurisdictional waters of the Republic and of its islands and inlets, said zone being comprised from the middle line of low tide to the high seas, with the exceptions and provisions especially indicated by this law.

Art. IV - A supplementary zone contiguous to the territorial sea is established called "contiguous zone", constituted by an extension from a strip at the edge of the territorial sea to twelve nautical miles into the high sea.

Paragraph - In this contiguous zone, the Dominican State will exercise the powers of jurisdiction and of necessary control to prevent infractions against its sanitation, fiscal, customs, protection of fish life, and conservation of marine species laws.

#### Transitory Disposition -

The extensions indicated in the present law for the territorial sea and the contiguous zone, constitute the minimum limit of the aspirations of the Dominican Republic and do not represent, therefore, an inalterable position with respect to any positive progressive tendency of international law that may materialize on these subjects.

Commander Rodriguez Mendez of Dominican Navy in recent conversation on subject with Naval Attaché spoke of jurisdiction over territorial waters and "adjacent jurisdictional area" which jurisdiction in time of war or civil disturbance is considered to be nine miles in addition to territorial 3 mile limit for total of twelve miles. Dominican Navy operates under this interpretation.

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Memorandum from Aeronautical Chart and Information Center, Albrook Air Force Base dated July 24, 1959 to assistant Air Attaché here contains following paragraph:

For your information, the Dominican Republic Special Notice in our MAN No 14, dated 15 July 59 will appear in 1 August 59 RFC, CASA as follows: "navigation warning. Until further notice, all aircraft are restricted from overflying the Dominican Republic and are cautioned to fly 30 statute miles or more from the coast. This does not apply to aircraft which have complied with paragraph 1, 2 or 3 in the Special Notice below."

El Caribe announced on April 21 that Law 2700 (passed in 1951) declaring a state of emergency was still in force and was being republished in view of "the situation created in the Caribbean area by elements at the service of the Kremlin."

Subsequent invasions with the threat of more have lent a note of reality to the emergency law.

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